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December 7, 2017

Secretary Marlene Dortch
Federal Communications Commission
445 12th St SW
Washington, DC

RE: Karuk Tribe Opposition to Restoring Internet Freedom Order (WC 17-108)

Dear Members of the Commission,

The Karuk Tribe opposes the Declaratory Ruling, Report and Order titled “Restoring Internet Freedom.” Maintaining Net Neutrality is the only way to ensure that Native Americans, Tribal Governments, and all the citizens of the United States have access to a free and open Internet.

The Karuk Tribe operates in the mid-Klamath region of far Northern California, in Siskiyou and Humboldt Counties. All of the communities in this region, tribal and non-tribal, suffer from poor utility access, specifically in accessing high speed internet. None of the residents in this region have high speed Internet access as defined by the Federal Communications Commission (FCC) of 25 Mbps. Users in this region typically have to pay more than urban subscribers for Internet access that is slower and subject to high latency, making Internet access laggy and difficult to use.

If Net Neutrality is destroyed, Internet rates for these citizens will go up significantly, further increasing the financial burden of a population that already suffers from poverty, economic depression, and frequent utility outages.

In the community of Orleans, California, for example, residents have no cell service and land-line phones suffer from dropped calls, echo, static, and multi-hour outages. Only last week, land-line telephone service for the entire town was unavailable for over 12 hours, meaning no one in the town could place or receive any phone calls, not even to call 911. Internet access in Orleans was limited to dial up and satellite until 2014 when the Karuk Tribe launched its own Internet Service Provider, Áan Chúuphan. Áan Chúuphan is the only Internet Service Provider (ISP) that serves Orleans, but the bandwidth available and the extremely high cost for bringing that bandwidth to Orleans prevent Áan Chúuphan from being considered “high speed”, even by California’s less stringent definition of high speed Internet.

During the frequent land-line phone outages and because of the poor quality phone service, Áan Chúuphan has become the primary communication method for many of the residents of Orleans. Social Media and online instant messages are considered more reliable than the public switched telephone network. With no cellular service available, Internet access is absolutely critical for day-to-day communications.

Due to the extremely rural and isolated location of Orleans, the federal government considers the community “frontier” with fewer than seven (7) persons per square mile. As a result, Áan Chúuphan has only a single link to the Internet. That single link passes through two small rural phone companies before reaching the core of the Internet. If Net Neutrality is not maintained, all of these small, rural providers would suffer from “slow lanes” and higher subscription rates. Citizens of Orleans, at the end of the line, will suffer the most, with rate hikes being applied to every provider along the route. If rates are increased past a certain point, Áan Chúuphan could be forced to shut down, and the residents of Orleans would have to resort to dial-up Internet access.

According to Free Press¹, Net Neutrality has encouraged investment by Internet Service Providers. The result of the FCC’s 2015 Open Internet Order saw many new online services appear, and demand for online services is steadily increasing across America. This trend holds true in the frontier of Northern California. Residents and visitors to the region all demand high speed Internet and access to the new and expanded online services protected by Net Neutrality. These protections ensure that all residents, no matter how remote, have the same rights and access to the Internet as urban users. If remote, rural residents are moved to slow lanes, or have costs increased, many of those residents will no longer be able to afford broadband access, and many more will cancel because the service will be so slow-moving as to be rendered useless and unusable. Without the Title II Net Neutrality protections, investment in rural markets will decrease. If more money can be made by charging for fast lanes, there is less incentive to invest in infrastructure for the millions of Americans who do not yet have high speed Internet access.

Many of the schools in the far northern region of California have no high speed Internet access. In 2013, California mandated that all standardized tests must be taken online. However, over a dozen schools in this region alone do not have high speed Internet access. Students of these schools travel on buses for hours to reach facilities that have Internet access, in order to take their tests. Without Net Neutrality protection, ISPs could charge these schools more to take their online tests and access state education resources. Without Net Neutrality, investment in infrastructure to link the unserved schools to the Internet will decline and be discouraged.

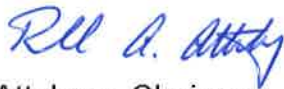
The Karuk Tribe operates three (3) health care facilities, providing medical, dental, behavioral health, public health, and elderly care to tribal and non-tribal residents. In two of the communities served by the Karuk Tribe Health and Human Services program,

¹ Free Press “It’s Working: How the Internet Access and Online Video Markets Are Thriving in the Title II Era” available at <https://www.freepress.net/sites/default/files/resources/internet-access-and-online-video-markets-are-thriving-in-title-II-era.pdf> (last accessed December 2017)

the Karuk Tribe provides the only health care available to residents within a 40 mile radius, and many local residents do not have automobile transportation available to them. The American Recovery and Reinvestment Act of 2009 mandated that all health care Centers for Medicare and Medicaid Services are required to "meaningfully use" an electronic health record system. The Karuk Tribe has implemented electronic health records that rely on the broadband Internet connections between health care facilities. If the FCC abolishes Net Neutrality, ISPs could charge health care facilities more to access their electronic records, and the cost of health care will rise. Higher health care costs directly translate to less health care for poorer Americans.

The FCC exists to protect the rights of all Americans to communicate. The Net Neutrality Title II protections meet that goal of the FCC perfectly. Passing the "Restoring Internet Freedom" order will directly oppose the mission of the FCC. The Karuk Tribe asks the Commission to weigh these comments, to preserve a free, open, and neutral Internet, and to reject the Restoring Internet Freedom Order, WC 17-108. Keeping Net Neutrality preserves the rights of Native Americans and all Americans to access the Internet. For the sake of the health of America, and the education of American students, the Karuk Tribe asks the FCC to uphold Net Neutrality.

Sincerely,



Russell Attebery, Chairman
Karuk Tribe

cc: Congresswoman Dianne Feinstein
Congresswoman Kamala Harris
Congressman Jared Huffman
Congressman Doug LaMalfa